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September 23, 2024

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The Honorable Mary Kay Vyskocil
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Joseph Eugene Lemay and Joel Lingat*, Index No. 21-CR-573 (MKV)

Dear Judge Vyskocil:

On behalf of Joseph Eugene Lemay, I am writing to respectfully request that the sentencing hearing scheduled for October 16, 2024, at 11 a.m. be rescheduled to October 15, 2024, if the Court is available to hold the hearing on that date. The government consents to this application.

Mr. Lemay observes the Jewish holidays, which proscribe certain activities, including air travel and driving or riding in automobiles. The Jewish holiday of Sukkoth begins this year on the evening of October 16 at 5:55 p.m. (in New York) and 6:33 p.m. (in South Florida). Consequently, if sentenced on the eve of Sukkoth as scheduled, Mr. Lemay, who lives in South Florida, will likely be unable to return home in time to spend the holiday with his family. For the Court's information, the Jewish holiday schedule in October 2024 is as follows:¹

- Rosh Hashana: Begins on Wednesday, October 2, at 6:47 p.m. and ends on Friday night, October 4.
- Yom Kippur: Begins on Friday, October 11, at 6:35 p.m. (preceded by an afternoon meal called the Seudah Hamafseket, which starts at around two hours before the holiday begins).
- Sukkoth: Begins on Wednesday, October 16, at 6:33 p.m., and ends on Friday night, October 18.
- Shimini Atzeret/Simchat Torah: Begins on Wednesday, October 23, at 6:27 p.m., and ends on Friday night, October 25.

¹ Source: Anshei Emuna Congregation, Delray Beach, Florida, available at <https://www.ansheiemuna.org/calendar>.

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Accordingly, we respectfully request that the Court reschedule the sentencing hearing to October 15, 2023, if the Court is available. If the Court is not available, we request that it reschedule the sentencing hearing to a date which is not a Jewish holiday or the eve of a Jewish holiday.

This is the fourth request for an adjournment of the sentencing hearing in this matter. The sentencing hearing for Mr. Lemay was originally scheduled for July 24, 2024. On June 18, 2024, Mr. Lemay requested adjournment of the sentencing hearing, and the Court granted Mr. Lemay's motion, rescheduling the sentencing hearing for August 21, 2024. On August 2, 2024, Mr. Lemay requested a second adjournment of the sentencing hearing, which the Court granted and rescheduled for September 3, 2024. On August 22, 2024, counsel for Mr. Lemay belatedly requested that the Court grant an extension of time to file Mr. Lemay's sentencing submission, *nunc pro tunc*, from August 21, 2024 to August 23, 2024. The Court ordered that Mr. Lemay's sentencing hearing be adjourned to October 16, 2024, in order to provide the Court with adequate time to review and consider all sentencing submissions.

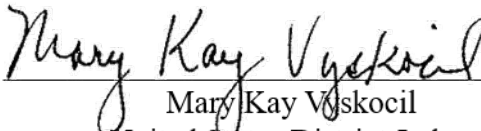
I thank the Court for its consideration in this matter.

Respectfully submitted,

/s/ Eric M. Creizman
Eric M. Creizman

GRANTED. Defendant Lemay's sentencing is hereby rescheduled to October 15, 2024 at 11:30 AM. SO ORDERED.

Date: 9/24/2024
New York, New York


Mary Kay Vyskocil
United States District Judge